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OFFICE OF PETITIONS

In re Application of

Walter M. Bain

Application No. 09/655,704 : DECIS

Filed: September 6, 2000

Attorney Docket No. 1311.APT.PT

DECISION ON PETITION

This is a decision on the petition, filed October 7, 2004, to revive the above-identified application under 37 CFR 1.137(b).

The petition is GRANTED.

The above-identified application became abandoned for failure to timely file a proper response to the final Office action mailed July 15, 2003, which set a shortened statutory period for reply of three months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on October 16, 2003. A Notice of Abandonment was mailed on April 22, 2004.

Petitioner has met the requirements to revive the aboveidentified application, pursuant to 37 CFR 1.137(b). Petitioner previously submitted the required reply in the form of a continuation application (No. 10/755,849, filed January 12, 2004), paid the petition fee, and made the proper statement of unintentional delay.

The above-identified application is being revived solely for purposes of continuity. As continuity has been established by this decision reviving the above-identified application, the above-identified application is again abandoned in favor of application No. 10/755,849, filed January 12, 2004.

Between October 1, 2004 and December 8, 2004, the fee for a petition to revive under 37 CFR 1.137(b) was \$685. As petitioner only submitted \$665, the \$20 difference has been charged to Deposit Account No. 50-2720, as authorized.

Furthermore, Office records have been changed to reflect that the extension of time fee was paid in the instant application, not application No. 10/755,849.

The application file is being forwarded to Files Repository.

Application No. 10/755,849 is being examined in due course.

Telephone inquiries regarding this decision should be directed to the undersigned at (571)272-3207.

left by

Cliff Congo Petitions Attorney Office of Petitions